THE CVSTVMERS APOLOGY.

That is to say,

A generall Answere to Informers of all sortes, and their iniurious *complaints, against the honest reputation* of the Collectors of her Maiesties CVSTVMES, specially in the OVT-PORTES of this Realme.

Written onely

FOR VNDERSTANDING READERS AND WISE IN HIGHEST AVTHORITIE, *to Reade and discerne by.* Alwaies prouided,

In reading Reade all, or nothing at all.

¶ *The Custumers small and humble Petition.*

" *Haud Natura potest* Iusto *secernere* Iniquum,
" *Nec vincit Ratio hoc, tantundem vt peccet idemq;*
" *Qui teneros caules alieni fregerit horti,*
" *Et qui nocturnus Diuûm sacra legerit:* ADSIT
" REGVLA, *peccatis quæ pœnas irroget æquas.*

BIBLIOTHECA BODLEIANA

To the GRAVE and GODLIE VVISE, *in Higheſt Authoritie.*

A GENTLEMAN a friend and louer of learning, *comming into a free Schoole, wher diuers yong Schollers were learning their Grammer, deſirous to feele how they thryud at their Bookes by ſome familiar queſtion; demaunded, (their Huiſhers ſtanding by)* When an Engliſh is giuen to be made into Latine, whats firſt to be done? *The anſwere is eaſie, namely,* To ſeeke out the principall Verbe: *yet all ſtoode ſilent, and halfe amazed, till* ONE *at the laſt (the Queſtion eft-ſoones repeated, and hee vrged to ſay,* What was to bee done) *replied;* NO HARME SIR I HOPE, at leaſt THAT I VVOT OF. *Which the Gentleman taking in very good part, as ſuſpecting rather ignorance in the Huiſhers, then want of wit in the Schollers, departed, ſmyling.*

Men affecting to doe the Prince and Common-wealth ſeruice, in ſome honeſt calling, enter the charge of Cuſtumes ſimply, & doubting no harme.

Moſt REVEREND *and* RIGHT HONORABLE. *This Queſtion & Anſwere includeth the preſent eſtate of al the ſtudents in the Schoole of her* Maieſties Cuſtumes, *where ſuch as the Teachers be, ſuch are the Schollers. There is a reaſon for al things. And the reaſon hereof is not ſo much, for want of wit or will in the Learners,* **To deale iuſtly betweene the Prince and her People** (*which in this kind of doctrine is ſuppoſed to be the* Principal verbe) *as in the ignorant & indiſcrete Huiſhers, who whilſt the graue* Maſters *and* Moderators *of the Schoole, were diſtracted and buſied in the ſtudie & practiſe of higher points of learning; haue vſed no method, but beating the Schollers.*

" Qui paria eſſe volunt peccata; Ipſique laborant
" Cum ventum ad verum eſt: Senſus moreſque repugnant,
" Atque *ipſa Vtilitas, Iuſti* prope mater & *Æqui.*

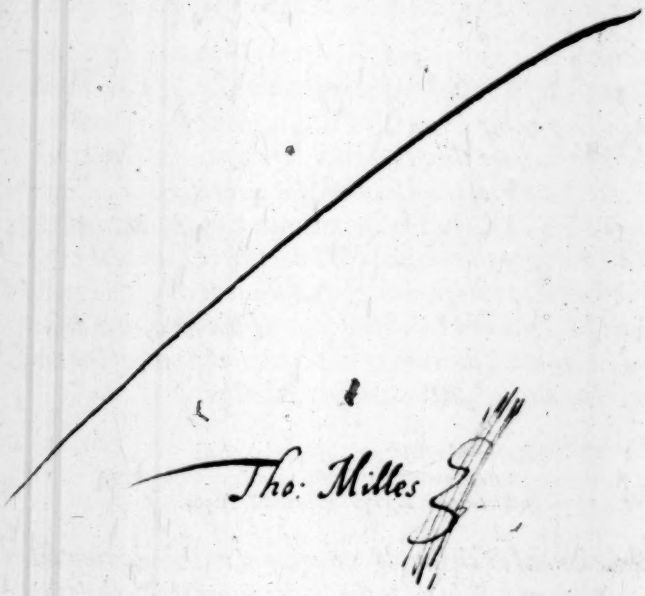
Which kind of diſcipline, diſcouraging al men & driuing many good wits from the Schoole, to the ſecrete iniury of the whole Common-wealth; forcde me to my Booke, and as well as I could, to Ana-

liſe

liſe *my leſſon, meaning thereby with the foreſaid plaine Scholler* (No harme at all) *ſuch therefore as it is, I haue briefely ſet downe in the* Diſcours *following. The Matter whereof being partly drawne from mine owne Patience and experience, and partly obſerued and learned from others: The Forme is meerely mine owne, and hath for my warrant the Rules of my Grammer.*

But ſince Things are then wel done, when things are wel taken; *to cleare and acquite me from partiall clamor, or the ſinne of preſumption, The Will appliant to Reaſon, is guiltleſſe of paſsion, and Nature ouerborne appeales to Neceſsitie.* Quæ quod cogit, ipſa, ſolet vtiq; defendere. *Hard therefore and aboue meaſure extreame ſhould their caſes appeare, that ſtill ſubiect to beating, might neither bemoane themſelues, nor be ſuffred to crie. And ſo much the rather, when as* (So far as I vvot of) *in all their Complaints, there is nothing concluded nor included, at leaſt intended therby, but a natural defence of their honeſt reputation in that kind of Calling, which the Law it ſelfe by great wiſdome hath laid out, and reſerued for men of the beſt ſorte onely, and a dutifull Zeale to find out thereby* The principall Verbe.

The Lawe of Nature and Nations both, allow all men, to ſtand in defence of their Callings and honeſt Reputations.



The Principles *and generall* Maximes, *whereon this* Diſcourſe *is grounded:* *making an* Epitome *of the whole.*

ALl *Common-wealths* are eſtabliſhed and maintained by *Lawes*. The life of *Law*, is *Reaſon*. *Reaſon* in making *Lawes* aymes at *Equitie*. *Equitie* is guided by *Certaintie* and *Indifferencie*, the two Ballances of *Iuſtice*; for where theſe two faile, men runne into *Extremities*. *Extremities* find out *Shifts*. *Shifts* incurre *Suſpition*. *Suſpition* argues *Ignorance*. *Ignorance* groping for truth lights on *Errors*. *Errors* proue *Miſchiefes*. priuate *Miſchiefes* turne to publike *Inconueniences*; the high way to *Diſcord*, *Diſorder*, and *Confuſion*. And as things grow confounded, *Offences* by conſequence encreaſe more and more. Which as pudled waters and corrupted ayre, breede and engender nothing, but creeping *Informers*, noyſome *Caterpillers*, rauenous *Harpyes* and ſuch like vermine, to vexe and torment a *State* withall.

By meanes whereof,

¶ The PRINCE is abuſed, and ſo iuſtly offended.

¶ The MARCHANTS are weried and generally grieued.

¶ The CVSTVMERS ouerburdened are inſuriouſly diſgraced.

¶ The COMMONS of all ſorts empayring, repine: *And*

¶ The PORT-TOVVNES decay.

The reading of whoſe ſeueral Complaints, may make any VNDERSTANDING READER, able to be his owne Iudge, and ſee. How in the preſent diſordered eſtate of Cuſtume ſeruice:

1 TRAFFICKE is become empayred, and ſo conſequently her Maieſties *Cuſtumes* diminiſhed.

2 The COMMON-WEALTH growes diſordred, and dayly empoueriſhed. *And*

3 The STATE (beſides the Common Enemie) is engaged and vnkindly at Iarre, with her ancient *Allyes*, and beſt forraine *Friends*.

The ſtate of the CVSTVMES, Specially *in the* OVT-PORTES *of* this Realme.

GREAT HATH BEENE THE CARE, AND THE Inuentions ſundrie, that haue beene vndertaken, for the aduauncing, collecting and true anſwering, of all ſuch Duties as vpon things by way of Merchandize, Croſsing the Seas, are either vented out or brought into this Land, according to Lawes and Contracts to that end.

Cuſtumes *defined.*

But as in the State of a natural body, thoſe diſeaſes prooue of moſt dangerous conſequence, that are of longeſt breeding, and moſt deſperate to cure, whoſe cauſes are vnknowne: ſo fares it at this day with that, which highly importing the whole Cō-mon-wealth, is of it ſelfe, no ſmall nor idle portion in the body of the Princes Reuenues. Namely, the ſtate of the CVSTVMES; ſpecially in the OVT-PORTES of this Realme. The preſent condition whereof, being neerely obſerued, may bee fitly reſembled to the diſeaſes of the body, which the Phiſitians terme *Morbi Chronici*. For as they engendred with time, not ſeene to at firſt, or but ſlightly regarded, make worke at the laſt for *Apothecaries* and *Surgeons*, leading the part infected ſtill from ill to worſe: ſo in the occaſions and continuance of theſe kinds of ſores or diſorders, for want of due inſpection or true information, as the ſeruice growes confounded; Offences by conſequence encreaſe more and more.

Reſembled to inueterate Diſeaſes.

For remedy whereof, though confident *Emperiks* neuer ſo boldly, with their violent and repercuſsiue medicines, from all parts obtrude themſelues, ſucking profit thereby at one hand or other: When all is done & ſayd, the Graue and Wiſe Phyſitians, muſt put to their hands, who proceeding by method from *An fieri poſsit*, to *Quid fieri debet*; by the pulſe and *Symptoma* obſerue the diſeaſe, and conferring with the Patients themſelues, finding the cauſe; proportion Receipts for remedy.

Fit for none but graue and Phiſitians of experience

For if Vrines proue deceitfull, and Patients neuer ſpeake:
No maruell then, if Phyſicke faile and medicines be to ſeeke.

In which reſpect, for the better information of the State of this Cauſe, this preſent Diſcourſe is conceiued, that through it the VNDERSTANDING READER AND WISE IN AVTHORITIE, by reading onely, without paſsion or partialitie might be their owne Iudges. Wherein (if for the length in ſhew it ſeeme to be tedious) ſo the Forme for the plaineneſſe proue not offenſiue; the Matter for importance deſerues more then a reading.

The motiue of this Diſcourſe

The oftner read the better vnderſtood.

Exordium ab Ataxia.

¶ *Priuatio præsupponit habitum.* Sicknes doth imply a habit of helth, & the disproportioned disposition of any *Function*, doth argue an intention & possibility of *Order*. To the vnderstanding wherof, since particularities & circumstances do best approoue and lay open the trueth or falsehood of any *Action* or *Assertion*: In the Consultation and Resolution of this argument of CVSTVMES, as well for their due Collecting and true Answering, as the infallible meanes of their orderly aduancing, to the glorious demonstration and happie vpholding of the wealth and peace of this State and Kingdome, both at home and abroad: *Fower things* doe first offer themselues to mind and necessarie consideration.

The Argument.

1 The CAVSE or Ground, whence such Duties growe and haue their first being.
2 The MATTER what, and where vpon such Duties growing are to be paide and taken.
3 The PERSONS, whome such Duties either immediatly or by consequence touch and concerne.
4 The FORME how to collect such Duties, fit and peculiar to the CAVSE, MATTER and PERSONS.

First therefore of the CAVSE *of* CVSTVMES *for Orders sake, and so of the rest.*

THe Nature of all things that consist in *Action*, is best seene and valued, by the worthines of that *Obiect* and *End* where to it tendeth.

The highest *Obiect* of humaine *Actions* (GOD onely excepted) is the MAIESTIE of our SOVERAIGNE and GOOD of our COVNTRY. And there is no *Action* more dutiful, then at all hands to amplifie the honour of the one, and to procure the peace of the other; nor any more odious, then wittingly or willingly to impaire the *Meanes*, mutually ment for the maintenance of either.

The maine drift and purpose of the Argument.

It followeth then as a consequence of all sides to bee agreed on; *That to maintaine the Princes Reuenewes*, and to further the *prosperitie of her people* is, or ought to be, the speciall care of euery mans best endeuour.

But, as in all things that depend on CAVSES, and consist of MATTER and FORME, where the proprieties of either are

not

not rightly vnderstood nor seriously obserued, the first *Error* breeding *Mischiefe*, leades the high way to *Disorder* and so to *Confusion*: so fares it at this day with the State and argument of this *Discourse*, namly the publike duties of CVSTVMES. That as well for the CAVSE whence they proceede and their MATTER what it is, as in their FORME how to stop the course of *Errors* and currant of *Abuses*, hath of long time bene and yet is a proposition diuersly and strangely debated. Wherein howsoeuer *Confusion* encrease generall offences, *Holding the Actors next hand still subiect to suspition and blame*. (*Ignorance* and *Impudencie* bearing the sway) * *Experience* and ÷ *Truth* arguing the case before *Equitie* and *Reason*, dispute the Question, and resolue it thus.

The * ATTORNEY and ÷ SOLICITOR generall *pleading* for the *Prince* and her *People*.

Al *Effects* work only by & liue or dy with their proper CAVSES. All CAVSES are either *Efficient*, *Materiall*, *Formall*, or *Finall*.

arguing ab Effectis

¶ CVSTVMES are the Princes publike *Duties*, growing by TRAFFICK, on *Marchandize* outward and inward, payable according to the *Equitie* of positiue *Lawes* and forraine *Contracts*, freely and onely giuen *For defence of the Realme and safe passage at Seas*.

Custumes described.

Thus CVSTVMES follow TRAFFICK as the *Effect* doth the CAVSE; in which regard the *Merchant* at all hands is to be cherished, fauoured and encouraged in euery common-w elth.

AVSE

¶ TRAFFICKE is a mutuall bartering, or buying & selling of Vendible wares, by Merchants, Subiects or Strangers, at Marketes conuenient; according to the Rules of Reciproke Commerce, generally entending the honour of the Prince and prosperitie of the Common-weale.

Traffieke described.

There appeare in TRAFFICK by this discription fower speciall parts, to bee seuerally considered and iointly maintained, as being so essentially coherent, and necessarily concurrent, that where any one is failing, the rest haue no longer being. To wit, MATTER (as *Vendible wares*. Secondly PERSONS (Merchants *Subiects*, or *Strangers*. Thirdly, PLACE (at *Markets conuenient*) Fourthly ORDER (*rules of reciproke Commerce*.)

throughly vnderstood

1 First in the Condition of the MATTER whatsoeuer it be GOODNES only (more or lesse) makes it *Vendible*, as respected & fit for *Trades*. All GOODNES is either by *Nature* or by *Art*: And as in GOODNES there is a proportion alwaies answerable to the first MATTER, whe rein it consisteth: so in *Trades*, the blessing of God by *Nature*, and the benefit of *Industrie* by *Art*, is immediatly more or lesse admired, to the speciall reputation and profit of the PERSONS and PLACES that first afford them.

for ỹ Goodnes only

2 In the quality of the PERSON of the *Merchant*, whosoeuer he be, Subiect or Stranger, onely *Loyaltie* and *Alliance*, makes his

TRAFFICK auowed, without distinction of Sex or yeares: For with knowne Traitors or open enemies, the Lawe admits no Commerce.

3 In the PLACES *Conueniencie* at home or abroad, *Easines* of Accesse by Sea or land and publike *Freedome* with *Safetie* for MATTER and PERSONS, is onely regarded in all *Martes* and *Markets*.

4 And the best Rules for ORDER to direct TRAFFICK by, are they which being precisely squared out to the *Generalitie*, *Indifferencie* and *Certaintie* of the Lawes of the land and forrain Contracts, admit no particular, partiall nor doubtfull; deceipt, iniurie nor disturbance, to MATTER, PERSONS, nor PLACE.

Thus TRAFFICK supported by fower speciall Pillers; The first is grounded on GOODNES. All GOODNES is needefull. TRAFFICK therefore either outward or inward of things bred at home or abroad; in respect of the *Vse* thereof ought to bee *Generall*. For looke what the Soule is to the outward *Actions* of the body, in ordering each member: so, as to Nature seemes fittest for the good of the whole Man: Such is the vse of TRAFICK in disposing *Misteries* and *Trades* to the behoofe of the whole Common-wealth. A consideration in no part of Ciuill Gouernment to bee neglected, much lesse in this great CAVSE of CVSTVMES. For as much as the GOOD intended thereby both to MATTER, PERSONS, and PLACES, by the rules of *Equitie* is so due to *All*, as cannot bee iustly restrained or denied vnto *Any*, without disorder and confusion. *Bonum autem quo communius, eo melius.*

From TRAFFICKE therefore CVSTVMES deryue their first *Essence*, and being, and by it encrease; to the *Honor* of *Princes*, and prosperitie of *Common-wealthes*.

To conclude; TRAFFICK is the true and assured practise of that misticall Phylosophie (wherein so many wits haue spent themselues, and blowne the coales in vaine) whose heauenly *Elixar* (GOODNES) the *Quintessence* of *Nature* and *Art*, by diuine sublimation, applyed to *Materials*, begets *Misteries* in *Trades*, and purging all drosse of deceipt from *Trades*, turnes *Trades* into *Mettals*, and all *Mettals* into pure *Siluer* and fine *Gold*: And that generall *Restoratiue*, which easing all griefe in *Sores*, suppling all *Sores* in *Diseases*, and curing all *Diseases* in particular Members, holdes the whole Body of the *Common-weale* in perfect health. The sacred Rules whereof, as no prophane *Couetise* could euer comprehend, nor confident *Empericks* attaine to practise, so none of priuate *Discretion* or partiall *Affection*, may presume to alter or control; as being a Doctrine and Study, peculiar to the GRAVE and GODLY WISE onely in highest Authoritie, and for PRINCES themselues.

Lapis Philosophicus.

Vniuersalis Medicina.

where priuate Discretion guydes public affaires: one Mans will, becomes euery Mans misery.

Of Traffick therefore (well vnderstood and orderly guyded) lesse then this cannot be acknowledged. That her Seat is the Soueraynes bosome. Her voyce well tuned, the Harmony of the Kingdome. That to her both Court and Country owe homage. The meanest Subiect feelinge her care, and the greatest not exempt from her power and providence both Noble and Vnnoble, wth one consent admiringe her as the nurse of theire earthly Honors, peace, prosperities and joy.

The MATTER or Subiect, is al kind of wares that by way of *Merchandise* crosing the seas are either transported and vented out, or imported or brought into the Realme; whereupon such paiments are collected, as (*For defence of the Realme, and safe passage at Seas*) loyally offered and graciously accepted, the Lawes of TRAFFICK doe recorde by the names and titles.

Of { CVSTVMS { *Great and Small.* } / *Land* / SVBSIDIES of { *Pondage, and Tonnage.* }

2 MATTER.

The word CVSTVMES albeit it be vsed as a general name for al Duties vpon goods crosing the Seas, both inward and outward: yet it hath his peculiar and distinct signification. And is either that Dutie which is taken vpon Woolles, Woolfels, Tinne, Lead, and other Staple wares of this land, by the name of *Grand* CVSTVME; Or the Dutie of three pence vppon the pound &c. Yeelded onely by Strangers, by the title of PETIT-CVSTVME.

SVBSIDY, is but the *Genus* or *Generall* title to other duties, namely, *Pondage* and *Tonnage*.

Pondage is a SVBSIDY paide generally vpon all *Marchandize*, crosing the Seas, of twelue pence the pound (not otherwise increased by speciall Statute as is that of Corne). Whereof it sortes the name of *Pondage*, though in respect of the vse, it be more vsually called SVBSIDY, *Quia datur in subsidium Principi.*

Tonnage, is also a SVBSIDY diuersly collected according to diuers Statutes limiting the same; being either generally granted for defence of the Realme, and free trafique on the Seas, as the *Tonnage* of Wines, or for the particular reliefe of some Port or Towne, as that of Douer.

Homogenea.

¶. *Impositions are Taxes laid on merchandise beyond the duties afore saide not sommed by lawe ab by ancient of Discretion wch Lawyge no place not Action in this generall Argum. of Customes haue likewise no part in the honorable Endes ther by propounded. for being Effects of vnknown and different Causes, ose Matter vncertaine and of Forme no waieb fittinge the mouldes of free Commerse: All persons refuse to argue, therof to define or describe or bringe them here in question The matter for that being in nature irregular & litigious they had been occasion of much vnrest and disorder in former tymes specially in the first and second ages of o kinges. And albeit the vse of them sme might happely aymt at the healinge harte of somme forreyne ilde commodities (brought in and obtruded on vs by Strangers) to the endeamrs of owne Trafique in Trades and decaye of our Ports, in Mariners and Shippinge (wch the wisdome of this State hath euer sought to mayntaine) gatteringe withall, vpon the natural borne Subiects they repine therat (not vnlymet and not able to discerne betweene the Differences of States and Tymes and so is a speciall grounde of the present Disorders. The Subiects appealinge to the positiue lawes of Trafique ab hereit generall meritante and the Strangers pleading only their Treaties and mutuall Contracts.*

Appen.

The MATTER being thus laide open: The PERSONS, are next to bee weighed; whome these Duties do for seuerall respectes concerne, Either

- *Immediately* or directly; as
  - The PRINCE to whom they are giuen and by Law due.
  - The MARCHANT, that by Lawe is to pay them.
  - The OFFICER, specially appointed to Collect them to the Princes vse.
- 3. The PERSONS
- *Mediately*, or by consequence; in regarde of free *Traffick*. Viz.
  - *Generally*, The whole COMMONS of this Realme.
  - *Specially* the PORTE-TOWNES whose inhabitants, are
    - *Artificers and Trades.* or
    - M. *of Shippes and Mariners.*

4.

4. FORME.

The third thing to be necessarily thought vpon and vnderstood, is the FORME and maner of collection, fit & answerable to the MATTER and PERSONS. *Forma dat esse rei*. For without it, the *Prince*, though much be giuen, is voide of ordinarie meanes to be iustly answered, and so not satisfied. Without it, the *Marchant* though much be due, knowes not how and with what discharge to pay it. And without it the *Officer*, though much be to be receiued, is without sufficient warrant to collect it by.

In the direction whereof therefore, *Common equitie* is to be respected. *viz.* That is in al other Duties hauing one and the same ground (*Like twins*) as namely those vpon lands & goods (*De paribus autem est idem iudicium*) the Assesse once agreed vpon, by competent authoritie; doth intitle and satisfie the *Prince*, binde and acquite the *Subiect*, direct and warrant the *Collector*, and so fulfils the Lawe by giuing euery one his right; so in these duties vpon *Merchandise* both inward and outward, the Assesse or Rate of things once digested, is or ought to be a rule generall and inuiolable; the *Equitie* whereof, consisting in the *Certentie* and *Indifferencie* of Assessement, according to a reaso-

reasonable valuation of things in vse, and so expersely set downe and named, and commaunding the like in Matters occurring.

But by reason of some vneuen cariage in the MATTER and present FORME; the PERSONS aforesaid in their seuerall degrees and places, haue their *Offences*, *Griefes*, and *Complaints*. The knowledge whereof comprehendes the whole State of the Cause in question, and giueth light to the grounds and occasions of the present disorders. *For*

Imposition in ye Matter
Extremity in ye Forme.

¶First, the PRINCE, is two waies highly displeased; namely, either in that her Duties are by the *Merchants* defrauded, or by the Collectors ill aunswered into the Exchequer: or in that they seeme not so well husbanded for her, as priuate Persons by Leases doe make them for themselues. The satisfying of whome, may make a way to relieue others. The PRINCE offended.

¶The MERCHANTS griefes are likewise double, *Publike* and *Priuate*. For *Generally* they bemoane themselues, that as *Subiects* desirous to liue vnder the rule and direction of the Law; they are driuen to incurre the danger thereof, for want of *Indifferent* and *Certaine* proceedings. For where as one and the same Law (though by seuerall Statutes) doe binde them to answere the *Prince* Subsidies, and other duties on their lands and their goods, as well as their Merchandize; yet in paying the one (though held with more assurance at home, and that paide happily but once in the yeare) the Assesse is set downe with a consideration of each mans estate and charge; and in Collecting the other (though the payments be more frequent and dayly for one thing or other) there is farre lesse regard or feeling of the hazards they runne, by Sea, by Enemies, by contrarie winds, Banckrowts and ill Markets. And whereas in the payments on lands and goods, the Collector alone being satisfied, the partie is acquit, without further charge, trouble or delay: in the matter of *Merchandise*, beside the *Princes* and *Collectors* due, *Impositions* and a multiplicitie of irregular exactions and fees to *Searchers*, *Comptrollers*, *Surueyours*, *Waiters*, *Wayers*, *Packers*, *Scauagers*, their *Deputies*, *Clerkes*, *Seruants* (and such like) is such a secrete burden, that in 5 or 6 yeares, the payments in this kind, doe counteruaile their Stockes. The MERCHANT grieued.

Add^e Regula

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That they trafficke not at all, without aid of Germaine shippes ordayned and maintayned for defence of the Realme & safe passage at Seas. Yea from Port to Port very fast Gone to Gun them.

¶*Priuatly* they grieue, that amongſt theſelues Trades vnder *Companies* and *Societies* are drawne and abridged into a few mens hands; wherein, beſides the wrong offered to the Law and generall freedome of the land, euen within themſelues alſo, the welthier and beſt grounded, by oddes of ſtockes, reſtraints and other aduantages, driue the weaker to the walles. That one *Porte* ſeemes to giue Law to all the reſt, without warrant of Law, reaſon or Pollicie; the daunger whereof, moe ſee and lament, then know how to preuent or remedie. That in all *Ports* extremities attend them driuing them to this iſſue, either to quit their Trades altogether, or to worke it out by fauour at one *Porte* or other, to the diſpleſure of the *Prince*, as if they conceald he Cuſtumes, when they get leaſt by it; as may bee obſerued in the falling of ſundrie, and decay of a great many.

London.

Extremities driue the Merchants to ſhifts.

The OFFICER complaineth.

¶The OFFICER, thirdly, hath his griefes and complaints; for vnfoulding whereof, many things concurring are firſt to be laide open, namely, who that OFFICER is, and what he is; for the ſeruice is pretended and attended on by many, each valuing himſelfe aboue other, and his place and ſtanding to be of moſt importance. In the viewing of whome a part and a ſunder, REASON ſhall the better diſcerne and iudge betweene them. For *Quædam ſunt & non videntur; Quædam videntur & non ſunt omnino.*

Ariſt. contrà Sophiſt.

¶*Cuſtumes* being *Effects* of that CAVSE, whoſe Actions are conuerſant about no meaner *Obiects* then the Maieſtie of our Soueraigne, and proſperitie of her People; imply a Seruice, which as it requires men of ſpeciall regard and truſt: ſo none may vndertake it, but with authoritie and power giuen them in lawfull maner. In the Function therefore of an *Officer* of CVSTVMES. 4. things are to be wayed and conſidered, to iuſtifie the lawfulneſſe and neceſsitie of his calling. 1. The Inſtitution, that giues him power to medle with Duties of that nature. 2. The PORT and Places allotted him for the exerciſe of his *Office*. 3. The diligent performance of his ſeruice, according to the importance & exigence of his charge. 4. And laſtly the Countenance and proportionable Maintenaunce which in that reſpect he deſerues and receiues.

Fower grounds to diſcerne by, betweene the neceſſarie inſtitution and needeleſſe or bootles vſe of their Functions

The *Officers* therefore in the OVT-PORTES are fowre in number, and knowne by the names of CVSTOMER, SEARCHER, COMPTROLLER and SVPERVISORS.

The

The CVSTVMERS hold their places by the Princes letters Patents & great ſeale of England, wherby they are authorized and warranted, appointed & named *Collectors*, as well of all ancient duties vpon Wool, Woolfels &c. termed *Grand Cuſtume* and of the *Petie Cuſtume*, paid onely by Strangers: as alſo of the Subſidie of *Pondage* and *Tonnage*, graunted her Maieſtie in *Primo* of her Raigne, during her life *Pro defenſione Regni, & cuſtodia Maris*. Concluding all with this Cloſe. *Ita quod de denarijs inde prouenientibus ad Scaccarium noſtrum nobis reſpondeas*. In which behalfe for the Princes ſecuritie, before the deliuerie or receipt of any letters Patents, the Cuſtumers are bound by themſelues and good ſuerties, and ſworn beſides at their admiſsions, to do their endeuors, **To deale iuſtly betweene the Prince and her People** The CVSTVMERS *Office*

the principall verbe

The PRINCE being ſecured, next followes the ſeruice of the *Merchant*. On whoſe behalfe, if any deniall or vnlawfull delay be vſed to his hurt or hinderance, the Lawe calles the *Cuſtumer* in queſtion onely, and in that reſpect, the *Office* ſeale is committed to him, and the forme of all *Warrants*, of *Cockets* and *Bonds*, to the vſe of the *Queene* runne onely in his name, as wel from PORT to PORT as otherwiſe. The whole ſeruice towardes the Prince and people, lyable to the Cuſtumers onely.

This being the effect and whole ſumme of the Seruice, is the *Cuſtumers* office and charge onely, whome therefore the Law doth point out and choſe, **From amongſt the beſt and moſt ſufficient men to be found, to the Lord Treaſurers eſtimation**. And is no more indeede then may well be performed by ſuch a one; Prouided the Law be his Load-ſtone, & Equitie his Compaſſe, and enabled withall with *Countenance* and *Maintenance*, fit for his calling. 12. Ric. 2. cap. 2. And ſuch had they neede to be, for no *Officer* in the Common-wealth may doe more good or harme, then a Cuſtumer in a ſhire, or the Townes of his charge.

Thus the whole ſeruice, as appeares, hath but two ends, the ſatisfaction of the *Prince*, & diſpatch of the *Merchant*. To which end, for the *Cuſtumers* reliefe, that being buſied within doores, might want helpe abroad, out of the neceſsitie of the ſeruice: The SEARCHER was created: Whoſe Office is to ſee that no water paſſe by, without the Grinders knowledge, but either to ſend them to the CVSTVME houſe, or driue them to the Exchequer, as the words of his Patent doe import and commaund: ſo as taking the moyetie of al forfaits and ſeiſures for his paines, *De altera medietate nobis reſpondeas, & fidelem inde computum in Scaccario noſtro reddas*. And thus what the *Cuſtumer* may not conueniently doe, the *Searcher* performes. Keeping entries of all *Cockets*, *Bonds &c.* paſsing by him from the *Cuſtumers* hands, as of his owne ſeiſures, and accomptable yerely, for the truth of his doings. The SEARCHERS *Office deſcribed.*

But as all Officers of accompt are ſubiect to ſuſpition, and the man once ſuſpected, is ſaid to be halfe hanged: So with *Cuſtumers* aboue all men (as things are miſtaken) it is not enough to be an honeſt man. For the faults or weakneſſe of any one, is made a conſequence to call the reſt in queſtion, as if all were caſt in one mould; without diſtinguiſhing the true Cauſes, whereby one Error is made the Author of an other. Hence grew the inſtitution of a third *Officer* in name for an imaginarie ſeruice; for wanting matter to make a new function: He is to ſet with the *Cuſtumer*; and in al things to imitate his doings, *Et quaſi actum agere*. This man albeit as the *Cuſtumer* is either honeſt or diſhoneſt, be needleſſe or booteleſſe (only the *Prince* may charge her ſelfe with fees to as many new Officers as ſhee pleaſe) what wants in eſſence of a function, is recompenced in title: and for keeping a *Counter-rowle* of the *Cuſtumers* doings, is in his Patent called a *Comptroller*.

Before her Maieſties time all Cuſtumers acomptes, were written in Rolles.

The COMPTROLLER.

¶ Though Rules and directions wherewith *Functions* are bounded, propound indeede and intend perfection. Yet not that, whereto none can attaine: but ſuch as all men muſt and may ayme at, to the end, that as farre as humaine care and foreſight can extend; it may take place. In which reſpect, what more effectuall Bond of dutifull endeuour may be vrged, then the vowes and pledges which *Cuſtumers* giue for their fidelities at their firſt admiſsion? The nature of their ſeruice holding them withal, ſo ſubiect to care and feare.

Two generall Propoſitions, affirmatiue, and neceſsarie.

In whoſe behalfe therefore and ſpeciall defence: 1. Here might be much ſpoken to approue and maintaine, that in all Offices of charge and neceſſarie truſt, hee that for his fidelitie giues the vttermoſt of all ſecuritie in vſe amongſt *Chriſtians*, ought to be abſolutely credited. And that, that being done; all cautions beſides, are but booteleſſe effects of *Ielouſie* and *Suſpition*, iniurious to the Reputation of that *Officer* and hurtfull to the ſeruice. 2. And that where the pledge is once giuen and taken, which is the vttermoſt of all ſecurities in vſe amongſt Chriſtians: Of conſequence if that *Officer* bee diſhoneſt, he is ill choſen, and ſo fit to be remooued; or the Function in matter or forme defectiue, and ſo fit to be reformed. 1. 2.

But truth is called the daughter of *Time*, and *Practize* and *Experience* the Midwiues that bring her to light, for the weakeneſſe of this third *Prouiſion* or *Caution*, in time gaue eaſie way to a fourth kind of *Officer*, and ſo may doe to the fift and a ſixt *in infinitum*, ſo long as the grounds and cauſes of offences are miſtaken or vnknowne.

¶ *Ignorance*

¶ *Ignorance* is called the mother of *Error*. Of *Errors* come *Miſchiefes*, and *priuate Miſchiefes* proue *publike Inconueniences*: which breeding *Confuſion*, point out *Order* and *Perfection* as *Cauſes* grow known. So that, *Felix qui poterit rerum cognoſcere Cauſas.*

Truth beſt found out by knowledge of Error.

CVSTVMES paid by *Merchants* are ſubiect to TRAFFICK as the Effect to the Cauſe.

TRAFFICK ryſeth and falleth with occaſions and *Times*, the obſeruing whereof, requireth *Experience* and *Iudgement* to direct; and *Freedome* with *Induſtrie* to manage the ſame. Examples wherof are all Owners of lands, that by diſtinguiſhing Soyles, and obſeruing of Seaſons, make vſe of their grounds.

Trafficke ſubiect to Occaſions and Times.

But, as if a Lord of a Mannour, that intending to make the beſt of his own, by his immediate Seruants, though the groũds be excellent, fertile, and good, giues charge notwithſtanding, and expreſly forbids them both the vſe of the Plough, and all means beſids of manuring their ſoiles: wherby their wils wanting freedome to approue their endeuours, they reape none other yeelde, then as nature affordes; and ſo at the ende of harueſt, falling out with his Seruants, farmes the Land vnto Strangers, who neereſt themſelues, firſt ſerue their own turnes, and in rayſing their rents (for the moſt part) make ſpoyle of the grounds: So fares it with the Seruants and lands of this great Feeld of reuenues. And no meruaile at al, for where things are paſt ouer without diſtinction of *Times*, *Perſons* and *Place*; the *Error* in iudgement makes the *Actor* next hand ſuſpected and blamde.

Cuſtumers forbidden all Trades and Trafficke.

The farming of Cuſtumes vnnaturall, and not ſo good to the Prince, as iniurious to the Subiect. *whereby their freewill-offrings and fruits of Loyaltie are sett to sale.*

Thus firſt grew the occaſion, that the CVSTVME of ſundrie things became farmed out to ſundrie Perſons, for yearely rents certaine, and ſet termes of yeares. But with what vncertaine ſucceſſe, the times haue declared, and the perſons haue found.

For witneſſe whereof, omitting times paſt to begin neerer hand; about the xij. of the *Queene*, M. **Smith** tooke the *Cuſtumes* of ſome PORTS to farme, whoſe induſtrie made his gaines ſo enuied, that all was reſumde at the end of his yeares.

M. Smith.

After him, Sir **Frauncis Walſingham** was wonne to the like for ſome PORTS elſe where; but miſsing the methode, howeuer he thriued, after his death, the remainder of his terme was by compoſition ſurrendred vp into her Maieſties hands.

S. Fra. Walſingham.

Then grew it a queſtion (things ſo meeting together) how the ſame might be beſt husbanded, to her Maieſties owne and immediate vſe, that had beene ſo good to ſome others at a ſecond hand. And becauſe the *Cuſtumers* at al hands were holden for *Publicans* & *Sinners*, a new & fourth ſort of *Officers* became

created, who at the coſt of Sir *Francis* hauing wonne their experience before, vndertooke by themſelues and Deputies, **To reforme all abuſes**, and **aduance the Queenes Cuſtumes**, in al PORTS of this Realme, LONDON excepted.

4. SVPERVISORS. To theſe therfore, being fower in number: a Commiſsion is graunted ioyntly, by the name of SVPERVISORS.

χρυψις. 1. *Occultatio.* truly deſcribing the ſtate of the ſeruice. Drawen from concord in Muſique and Order in building.

To reforme all abuſes, and **aduance the Queenes Cuſtumes?** Bid ſuch men wel-come, bee they neuer ſo many; for thats the *Dyapaſon* of all our Muſicke, ſo the more the merier. And the baſe of that building ſo many haue vndertaken, and ſo fewe haue ſet forward; therefore the more hands the lighter worke. Prouided alwaies, they ſing with the Companie, and worke in Gods name. *Hoc opus, hic labor eſt*, committed to none but "*Men of the beſt ſort only*. Religious and honeſt indeede, as theſe pretend to be. Yet ſince in this & in al things, *Virtutis laus actio*, and Carpenters are alwaies beſt knowne by their chippes; firſt heare their voices and examine their cunning, for ſo their conſent and harmonie will ſhewe their skill in Muſicke, and their Diſpoſition and Order in rayſing their worke, will commend their building. For if into a Conſort, ordained to ſing or ſound, *Any* or *Many*, ſhould obtrude themſelues, and taking vp Inſtruments, pretending to tune them, regard neither *Reſts*, nor giue eare to any *Time*, nor ſound the *Inſtruments* to find out what compaſſe of *Muſique* they are ableſt to maintaine; but ſing to themſelues, and ſtand winding vp *Strings* till all breake in ſunder; would yee not catch the *Inſtruments* from the hands of ſuch *Tuners*, and as *Perſonnes* either ignorant or impudent, deſire ſuch *Muſitians* of leſſe acquaintance?

Likewiſe in the framing and rearing ſome ſtately peece of building, ſuch as might be the Steeple for *Paules* (a worke faire and farre ſeene, and faiſible enough, for fit and skilfull workemen) if *Any* or *Many* vndertaking to aduance it, ſhould begin at the height, and ſo build downeward, or pitching the Weathercocke beneath, ſtriue to raiſe the baſe end vpward, would any well aduiſed, ſtand neere ſuch builders for feare of danger? or at leaſt, *Spectatum admiſſi, riſum teneatis Amici*?

Euen ſuch and no better proues the skill and proceedings of theſe forward **Reformers of abuſes**, and **aduancers of Cuſtumes**. For whilſt the *Cuſtumers*, ſet vp as it were, and oppoſed with the [a]*Diſcant* of their leſſon enioynd them to learne, and finding their * *Inſtruments* not able to maintaine ſuch a Compaſſe in Muſike; were applying themſelues to the [b]*Plaine-ſong*, prickt out to the pleſingeſt *Ditty* that euer was endited, beginning thus.

a Extremitie.

*Marchants.

b The equitie of the Law.

There

" *There is a Mids betwene Extreames, much like a mark or white*
" *Whereat who leuels ſhort or gon, can neuer ſhoote aright.*

" *Eſt Modus in rebus, ſunt certi denique Fines.*
" *Quos Vltra citraque, nequit conſiſtere Rectum.*

Which fitting all [a] *Strings* (the *Searchers* withall, at euery Cloſe ſinging,

[a] Raates: *of wares*

Then Meaſure is the mery Meane for Prince and People.)

Makes a ſong in it ſelfe of *Good rime* and *Good reaſon*, being perfectly learned and ſung with good *Time* and *Tunable voyces*; farre fuller of daintie ſtreines of *Muſique* and heauenly harmonie, then *Dowlands delight*, or *Perſons* Sweete *In Nomine*: whilſt the *Cuſtumers* (as ſaid is) were thus tuning and ſinging, as their skils and voices would ſerue; *Theſe* ſtep in at aduenture, and diſgrace all the [b] *Muſitians*, for the hoarcenes of ſome, and accuſing the [c] *Inſtruments* for their low ſound; wind vp the *Strings*, to pitch all at the higheſt, and with a *Catch* of fower parts, like Harpers beſides themſelues, ſing blindly together, Chaunting it thus.

[b] *Cuſtumers.*
[c] *Marchants.*

No fiſhing to the Sea,
Nor ſeruice to the King.

Which fitting no [a] *Strings* (their *Deputies* at all times lowly repeating,

[a] Raates. *of wares.*

For all on priuate profit wayt;
Where things goe guided by Conceit.)

Carmarden.

Makes ſuch a noyſe of *No rime*, or *No reaſon*, ſo full of diſcords, and farre from proportion, ſo harſh for the voices, and ſtrange for the ſound: that their beſt RECTOR CHORI by no rules of Art can beate out their *Time*, nor temper their *Tune*. Yet ſee their good lucke. They notwithſtanding, thus pleaſing themſelues (whilſt all men beſides, amazd at their Muſicke, and doubtfull ſucceſſe of their building and worke) ſtumbling on *Fortune*, prou'd more happie than wiſe. For indeede and in truth (let REASON *be iudge*) if euer men thriude vnder *Prince* by ignorance and ſeruice in conceite: *Theſe* may well ſay to themſelues, *Plus quandoque valet in rebus promouendis opinio hominum, quam rei veritas.* And *Aſſay ben balla a chi fortuna ſuona.*

They that haue eares to heare let them harken, how this priuate and chaunting Diſcord, fitting neither Inſtruments nor voices, proue offenſiue to the State, by diſquieting the harmonie and Concord betweene the Prince and her People.

But bee it knowne to all men by theſe preſents beſides (of *Vnderſtanding and iudgement*) that as *omne quod efficit Tale, oportet eſſe magis Tale*; ſo the Law ſetting down the Rates of Cuſtumes, and Authoritie digeſting the *Forme* of their payments, cannot

properly be ſaid to increaſe or diminiſh, but by the ſame Power and Authoritie, or by [a] *Trafficke* and *free Commerce* more or leſſe. Otherwiſe, *Noſtrum, magis Noſtrum fieri nequit*. Which ſtanding moſt true, and then this noted withall, namely: That as it did not appeare (almoſt in fortie yeares together) how Trades of this thing and that thing by occaſions fell in, and with time increaſed, and ſo of *Cuſtumes* by conſequence, the profits not ſeene nor obſerued, whilſt by Leaſes they ranne through priuate mens hands: ſo it was their better happe than foreſight or skill, to come in at ſuch an inſtant of *Time*, as when both the grace of God in an admirable ſort, gaue increaſe to our [b] graine, and al acceſſes of profit met in one, to her Maieſties immediate vſe together.

Wherein their *Induſtrie* can claime, neither art nor part, but in Conceite onely. For a full triall whereof (which here to ſet downe, would bee too tedious to reade) a bare collation of [c] *Matters* and *Times* before them and ſince, for fortie yeares paſt; would ſatisfie all and make this no queſtion.

(But by way of *Parentheſis*, if to profit the *Hundred* by impairing the *Shire* be holden for gaine, then do them no wrong, and let it be graunted which they ſo deſire. Yet take this withall, That their ſeruice beginning with *Eccliſſing* the [a] *Moone*, which neuer fals out but when ſhee is at full: was a naturall conſequence of their immediate *Declining*; and of a fearefull aſſurance of a *Miſchiefe to come*. Wherof one [b] *Storme* is paſt, God ſend vs no more, and let this bee a leſſon for euer hereafter, that, **To out runne the Law, is to haſt to confuſion.**

Yet ſince euery new *Officer*, implyeth new matter fit for a new function, and none may aſſume more to themſelues; then a greater Power doth conferre, (*Theſe* hauing erected to themſelues a place for a priuate *Office*, and deuiſed a publike Seale) as of the *Reſt*, ſo ſee their Commiſsion.

Their Commiſsion is ioyntly, and containes onely their *Name*, with a power by themſelues and Deputies; to doe ſuch and ſuch ſeruice, as in a *Schedule* is ordered, and there to annexed.

The *Schedule* hath Articles twelue or thirteene. All formall and nothing materiall at all. For what was aſsigned to *Comptrollers* before (if that were to purpoſe) is here but repeated; as ſitting & ſigning Cokets and Bonds, and keeping a Booke as the *Cuſtumers* doe. With ſearching of Shippes for prohibited wares, contained in the *Searchers* Patent likwiſe. Which ſerues to no vſe; but to charge the *Cuſtumers* at each accompts ending, with tedious delayes, and treble expences for the Auditors paines. Two things onely are ſpecially forbidden, that they delay

a This found Ma. Cuſtumer Smith full true to his happy auaile, trading in ſome things himſelfe, lending ſtockes vnto others, and dealing friendly with all men, to holde them in doings; which brought in his profit full, for one thing or other.

b The plenty of Corne at their beginning, their onely good lucke, whereof they called all gaines, Cuſtume, to make a ſhew of ſeruice.

1591 plenty
1592
— 1593

c The want of theſe obſeruations from time to time, holds all Cuſtumers ſo ſubiect, as they are to diſgraces, and ſuſpitious ſuggeſtions.

Pretence of zeale to the Prince, without regard of her people, is prepoſterous and dangerous in all publike ſeruice.

a The equitie of the Lawe eclipſed by licences for Corne, ſhewed their ſeruice at the firſt.

b The Dearth ſucceeding for want of the foreſtore, exhauſted by priuate licences, againſt the wiſe prouiſion of the Law

1594
1595 Dearth.
1596
1597
— 1598
— 1599
— 1600
— 1601
— 1602

Their *Commiſsion*.

Their *Schedule*.

All Miſchiefes are heaped on the Cuſtumers onely.

delay not the Merchant, nor take any fees, and howe they are performed God knowes best, but the Merchant can tell.

¶. Thus. The CAVSE at the first, mistaken or vnknowen, bred *Error* in the MATTER and FORME, and so consequently *Defects* in the general *Seruice*. Whereof *Ignorance* taking hold, accused the CVSTVMER as *Actor* next hand and onely bound for all. *Necessitie*, for the *Custumers* reliefe, fitly found out the vse of a SEARCHER; but his loosenesse and libertie bewraying his *Negligence*, (*Ne quid asperius*) made *Iealousie* and *Suspition*, deuise a kind of COMPTROLLER. His needlesse or bootelesse calling; gaue easie way to the newe SVPERVISORS and their *Retinue*, whose confident *Presumption*, combining with *Ignorance* (their special Vpholders) made them vndertake they knew not what, and to goe forward they carde not how, in *Opinion* onely and *Conceite*, to cure all sentes of Leekes or Onyons by eating Garlike. Hence grow *Contentions*, *Disorders*, *Offences* and *Complaints* of the PERSONS. viz

Clodius accusat Mœchum, Catelina Cethegum:
Quis tulerit Gracchos de seditione querentes?

The Prince dishonorid
The Customers disgraced
The Realme empouerished
and strangely disquieted
for want of Traffic

The *Mischiefes* whereof, though the MARCHANTS and CVSTVMERS in speciall deuide betweene them; the generall *Inconueniences* extend to the PRINCE her selfe, her *Allyes* and most *Loyal Subiects*; the importance wherof, the GRAVE and godly WISE; will in due time bee pleased to consider, and remember with all:

That none proue Saints for seeming so to others,
Since all are men and all haue suckt their Mothers.

In the meane season Howsoeuer Ignorance haue learned to beleeue, and Impudency to affirme and maynteyne it, that by Factions in this kind the Princes Customes are best advanced Experience and Truth must tell them to their faces quam impia vox ea sit et homine Christiano prorsus indigna. for be they assured ye God hath put asmuch proffit & pleasure hartes-ease and Honor in the quiet endeuours of Equity by Mercy Loyalty & Loue as the Deuil is wont to mingle care and comber losse and shame in the turbulent prattize of pretended Iustice by Extremitye and shiftes.

¶*Thus farre the* ATTVRNEY *and* SOLLICITER *generall*, (Experience *and* Truth) *hauing pleaded before* EQVITIE *and* REASON, *on the behalfe of* TRAFFICKE, *no lesse dangerously supplanted by the* Custumers *disgrace, then the* Merchants *extremitie; in true Zeale of the* Princes *honour, and Good of her* People; *began here seriously to lament and bewaile the vnfaithfulnes of such, as ignorantly haue beene the cause, or wilfully persist to maintaine the burdening of the* Custume houses, *with such swarmes of vnfit and needlesse* Instruments, *that as Razours cutting off the life of* Custumes, *and wrangling out disorder by a greater confusion, so liue by their places, that in time they must needes bee the*

Traffic

death of the Nurse *her selfe that feedes them. But the wisdome of the Iudges, moued rather with the weight of the* CAVSE, *then passion in their Plea (looking backe to the time) bid them goe forward.*

¶ Now then, see what hath beene said; and so hast to an end.

The PRINCE (as aforesaid) is iustly offended, & the *Merchant* likewise hath laid downe his griefes. These are the fower sorts of persons that attend *Custume causes*, amongst whome, if any complaine; these last haue no reason to looke to bee pittied, for that obtruding themselues into other mens workes, vndertaking a taske exceeding their skill; like men in amaze, striue still to goe forward, and in doing lesse then nothing, would seeme to doe all. Not vnlike to insolent and ignorant Huishers, that lawlesse themselues, know no rules of teaching, but beating the Schollers.

Accusing the Custumers.
Calumniando audacter, vt aliquid adhæreat.

But this by the way wilbe wel worth the noting, how generally iust, as necessarie true, the old rules of *Art* and *Propositions* of reason, continue and stand. Namely, *Quam frustra fit per plures, quod fieri potest per pauciores*. And *Institutio ab initio inutilis, ex post facto non conualescit*. For as these *Superuisors* doubting at the first, the holding out of their Deputies good abearing, and wisely looking into the weake foundation of the *Comptrollers*, whose Office themselues foresaw to be idle, and so easie to be out-faced; by their new Companie and accesse, the seruice is become so violent, so intricate and out of order, that in the confusion, the *Searchers* that only haue best meanes, and by Office should concurre and assist the *Custumers*, leaue the QVEENE to the *Custume house*, and enquires the next way to their owne priuate profit.

κατὰ πάντος. 1.
¶ Regula veritatis.
κατὰ αὐτο. 1.
¶ Regula Justiciæ.
καθ' ὅλου πρῶτον.
¶ Regula Sapientiæ

The Custumers onely haue cause to complaine.
Quàm iniquè comparatum sit, Viderint Reipub. Patres, *ipsaq;* Vtilitas, *quùm Quod optimo iure, Optimis tantùm destinatum sit, Munus: nunc tandem è Vulgi colluuie hominum Pessimis prostituatur.*

In which distresse, the CVSTVMERS in displeasure with the *Prince*, in disgrace with the world, forsaken of their best Helps and Associats the SEARCHERS: in the midest of a number of lawlesse, hungrie, and for the most part ignorantly wilfull *Deputies*, that like defectiue HETEROCLYTS, wrangle with the very rules of Grammer (pittying the *Merchant*) sup vp their owne griefes, and bemoane themselues in this maner.

¶ That the meanes to enhable them to seruice, *viz. Countenance* and *Maintenance*, are withholden from them and conferred vpon others. That their seruice notwithstanding is like the making of Bricke in *Egypt*, for wanting meanes to performe their Taskes, yet haue idle *Taske masters* set ouer them, whose credite hath no (*being*) but in their disgrace.

That

That the Lawe it ſelfe, ſo good and iuſt in generall, is made both hurtfull to the *Prince* in their publike function, and iniurious to themſelues in their priuate callings. For that, whereto they are preciſely enioyned at their admiſsions, and which in reſpect of their places and charges, they ſhould and might beſt performe; by one and the ſame way to the *Princes* immediate profit, which others at the ſecond hand haue made ſo availeable for themſelues: The *Cuſtumers* of all men are by ſtatute forbidden, namely, to meddle with any *Trade* or *Traffick*.

The Law is made to debarre Cuſtumers from their beſt endeuours.

That their ſeruice beſides is no thanks to themſelues, but a Countenance and meanes of Maintenance to others.

Sic vos non vobis { *nidificatis Aues* / *fertis aratra boues &c.*

That *They*, notwithſtanding, vnderly all kind of Expences and hazards incident to Cuſtume cauſes, and others not touching the burden with their fingers, for crying ayme onely, reape thankes, reputation and reward. For (omitting extraordinaries) their expences for their Bands and Suerties, to anſwere al Duties & ſubiection beſides, is an vnknowne bondage and burden, in reſpect of the libertie the reſt doe liue in.

No Cuſtume-houſes built by the Prince in the Out-Ports. *No publick wharfes, cranes nor Storehouſes, To the Princes dayly Loſſe and Cuſtomers diſaduantage.*

They onely are to prouide, hire and furniſh for euery *Porte* of their charge a conuenient Cuſtume houſe, which beſides Tables, Deskes and neceſſaries fit for ſuch places, are hardly hired for 40ˢ a peece of yerely rent, So as where (for examples ſake) there are fiue Portes; for fiue Cuſtume houſes, the *Cuſtumer* is chargeable with the yearely rent. Of 10

At each of theſe fiue *Cuſtume houſes*, muſt be intertained a diſcreete Perſon: for though any be fit enough for the *Superuiſors* turnes (as matters doe ſtand) yet it ſtands the *Cuſtumer* in hand to vſe choiſe, and honeſt men of the beſt education (the ſeruice paſsing in Latine) for his owne ſecuritie. And vnto ſuch, leſſe then twentie markes wages, and as much for dyet cannot be offered. Which yearely is a charge of two hundreth pounds or more. *the Head-Port conſiderid in proportion.*

At theſe fiue *Cuſtume houſes*, what euer is ſpent in Incke, Parchment, Paper, and Wax, is ſupplied alwaies by the *Cuſtumer* only, which yearely may be a Matter of ſome 10. pounds. Beſides. The hazard of the Queens money, that of neceſsitie is to paſſe by Bils of Exchange through ſundrie hands (being allowed no *Portage money*) is an vnknowne hazard, trouble, and care to the *Cuſtumers* onely, which the reſt breake no ſleepe for.

Want of Portage money. *which all Collectors ſaue Cuſtomers haue.*

Theirs alſo are all charges, expended in ryding or ſending from place to place, as the ſeruice fals out by letters, or Order from the Lord Treaſurer or Exchequer.

Laſtly, They put in their Bookes twiſe a yeare, to their double charges, which the reſt performe but once yearely, for faſhions ſake onely, without expence or attendance, leauing the *Cuſtumers* onely to abide to follow; and to pay all Duties, Fees, and whatſoeuer charges to *Officers* and others. Wherein the beſt part of their wages and reward from the *Prince* is conſumed, but vſually the one halfe, if not two parts of three, as being more delayed, and accumbred with the confuſed entries, and writings of others Bookes, by careleſſe and ignorant Deputies, then any of their owne, as the Auditors can witneſſe. Which kind of bondage of *Cuſtumers* the reſt in their freedome doe many waies inſult vpon, colouring their doings alwayes with the generall **Pretence of her Maieſties ſeruice.**

Of all which expences both certaine and caſuall, the *Searchers*, *Comptrollers*, and *Superuiſors*, beare no part, each poſſeſſing his life with libertie, his wages with quietneſſe, and his Trade with credite, and as it were altogether liue as they liſt. Whilſt the *Cuſtumers* ouer-borne, and debarred all *Traffick* and meanes of good ſeruice and thrift, are in caſe like the *Merchant* (aforeſaid) forced either to quit their places, though with loſſe, or relieue themſelues as they may by one meanes or other, as *Neceſſitie* compels them. *Extremities* breeding nothing but ſhifts.

Quod Neceſſitate cogitur, Neceſſitate defenditur.

¶Hauing thus farre layd open the ſtate of the ſeruice, (according to three of the fower Conſiderations afore laide downe) with the bondage and expences depending: Which (as appeares) the *Cuſtumers* onely vnderly; there reſteth in a word or two, fourthly, to ſhewe the proportions of rewards, which alone being but indifferently weighed, may happily helpe to excuſe them hereafter, though the age we liue in, giue ſmall hope of reliefe.

Fees and rewards for Seruice allowed by the Prince.

The *Fees* and *Rewards* yearely allowed by the *Prince* to the *Cuſtumers* and *Comptrollers* ioyntly (the *Searcher* is allotted the moyetie of all ſeaſures) in all the OVT-PORTES of this Realme amount vnto the ſumme of 1240 li. little vnder or ouer, whereof the *Comptrollers* receiuing for their parts about 340 li. the reſt being ſome 900 li. ſerues the *Cuſtumers* among the. This 900 li. deuided into three parts, two at the leſt are ſpent in paſſing, attending and clearing accompts. So reſts not aboue 300 li. diuiſible among them, to recompence their bondage and ſeruice, being leſſe then the *Comptrollers* receiue with freedome and eaſe.

1240 li.

A proportion very hard and vnknowne, but to thoſe that find it by experience, yet the ſame compared with the *Superuiſors*

sors, whose seruice and the *Comptrollers* is one and the same, commes to a farre lesse reckoning . For where the *Custumers* being in number 20. deuide about 300. *Deductis deducendis* (as is aboue said) among them all, and that vpon accompt at the yeares end . The *Superuisors* being but 4 receiue by *Debentur* out of the Exchequer, (for their good seruice) 425 euery quarter, which coms to 1700 yearely without accompt or reckoning.

1700.li. Yearely for no seruice at all. *but such as Rattes doe in a House or maggots in an Essex Cheese.*

By this time the VNDERSTANDING READER may discerne betweene *est* and *videtur*: and who is that Officer hath cause to complaine. And the *Prince* hath wherewith to bee satisfied in both the grounds of her displeasure, at least not to bee longer offended with the distressed *Custumers* . For by the Lawe of nature and Nations both *Imputari non debet ei per quem non stat, si non facit quod per ipsum est faciendum* . The reason is yeelded withall *Quia culpa caret, qui scit, & prohibere nequit.*

The Custumers stand cleared before God and the world, of the Princes offence, and all other slaunderous reports and suggestions against them and their calling.

The Custome[rs] gnall and humble Petition

.....

.....ADSIT REGVLA, *Peccatis quæ pœnas irroget æquas.*

¶ The *Marchantes* haue beene heard to say for themselues. Now the COMMONS presse forward to speake in their turnes, but they are too many and the time almost spent . Therefore heare but the PORT-TOVVNES, and reade their short Petition.

The Commons' petyme Generally at Monopolies of all sortes & Impositions Specially at Restramts w^t^out publique intimation of the Causes w^ch^, and at particular Lycenses &c. of temper by lawe and publikely vnstrained. Yet first vnnaturally abridgeinge Traffique outward, more vsen inward in stede of venting, want for ware scruttly ex-hanstith the Spunges wynne. Or later bountefulnes in Trafique abrapt-time' sufferinge' nothinge to be vndide but for priuat game, nay setteth the prices at all handes at home'.

The humble of the Townes lately drawn for the Vse and benefit of Traffic.

The life of all *Custumes* is *Trafficke* and *Commerce*: In which kind of calling, the *Merchant* of all men is to be fauored, cherished, and incouraged in all Common-wealths.

All *Traffique* is either *Outward* or *Inward*, of things bread at home or abroad . And albeit that Kingdome or Countrie be holden most wealthie and happie, that is ablest and aptest to spare and transport Commodities of their owne, wherein this Iland may compare with the best; yet since no place is extant so absolutely blist, as in all points to stand and subsist of it selfe, by the benefit of *Entercourse* and *Traffique*, bounded by Lawes, *Speciall treatise*, *Leagues*, *Oathes* and *Decrees*, al wants are supplied, each Part intending the best for it selfe, according to Reason, Wisedome and Pollicie . Which with vs heere in England hath euermore aymd at the encrease of our Shipping.

The encrease of the Nauie.

This necessitie of mutual Commerce, by the malice of Time stands mightily enuied, and by Enemies abroad many wayes interrupted; if withall it become disturbd among Equals at

home, when the generall is wrong, Particulars grieued cannot but grone.

Aboundance and obstructions distempering London, cause a disposition to consumption in all Portes besides.

Such hath beene of late yeares, and yet is the State of dealings & Trades within our selues; for the Cittie of LONDON, as the Liuer in the body receiuing the *Chylus* from all parts of the Stomacke, by detaining the bloud from the rest of the veines; is both inflamed & distempered in it selfe, and iniurious withall to all her fellow Members.

In which estate, though the whole *Commons* seeme engaged, and deeply interessed (for it may bee the case of each priuate Subiect) the *Port-Townes* in speciall; consisting of *Artificers* and *Traders*, *Masters* of *Shippes* and *Mariners*, doe most grieue and therefore complaine.

The Out-Ports Complaint.

That albeit as Subiects vnderlying the brunts of all forraine attempts and troubles, liuing vnder one and the same Lawes, ready at all commands of publike seruice by Sea & by Land, as the other Subiects and Townes of the Realme are: And as liable to all duties and paiments of *Custumes*, *Subsidies*, *Fifteenes*, *Priuie seales*, *Loanes*, & such like, yea as LONDON it selfe, is euery kind of way (for the proportiõ of their abilities) yet contrarie to the generall libertie of English Subiects, they are abridged enuied, and as it seemes, helde [a] VNWORTHIE, the very superfluities of that Cities aboundance, to their manifest decay, (for want of free *Trafficke*) in their *Inhabitants*, *Mariners* and *Shipping*. And that all things being drawne into *Priuate societies*, are there so ingrossed, that ENGLAND is but LONDON, and LONDON also seemes abridged in it selfe.

[a] This hath relation to the strange and vnnaturall courses, holden in that Cittie, to drawe all dealings thither, debarring, and from hand to hand, by *Tickets* limitting things sent into the Countries. As if all *Cities*, *Townes* and *Places* elsewhere were but *Suburbes*, All *Portes* but *Creekes* and *Members*, All *Officers* but Deputies depending on London, No *Matter* vendible, and so no *Trafficke* lawfull, but at, or for London. From whence as from the fatall Box of *Pandora* are flowne, and doe dayly proceede a great part of the euils, wherewith the whole Realme is become so perplexed. For thereby the free and lawfull *Trafficke* betweene equall Subiects, is violently impeached. *Trades* and *Occupations* in the Cities, and In-land Townes are generally decayed. Whereby the Commons empayring, grow discontented, and the poore for want of worke, forced out to begging. The skirtes and *Out-Ports* of the Realme grow dangerously desolate of *Trades* and destitute of *Marriners* and *Shipping*. The Princes *Custumes*, there consequently decreased. The *Custumers* without distinction by all meanes disgraced. And the *Marchantes* of all sortes discouraged, wearied and made a pray to a worlde of rauening and lawlesse creatures, of whome, as of *Harpies* may be truely spoken.

Virg. " Tristius haud illis Monstrum, nec sæuior vlla
" Pestis & ira Deum, Stygiis sese extulit vndis.

No monsters like to these might hap, nor curse from God befal
Nor from the pit of Hell arise, to plague a Realme withall.

A naturall & liuely Similitude of the *Princes* PREROGATIVE, [a] Sacred and [b] Royall.

In which distresse the PORT-TOVVNES appealing in all humilitie to the PRINCE, their onely comfort is, that albeit her Maiestie as a Mother of all her Children in her [a] Loue and [b] Affection (as well may beseeme Her) stand gracious to some more then the rest: yet that her *Storge* and naturall inclination to *Iustice*, affords bread to the meanest, and intendeth at least, that all should enioy their birth-rights in the generall treatise of

Entercourse,

Entercourse abroad, and *Common Lawes* at home, to growe vp thereby to liue to her Seruice and the Common-wealth.

Let not LONDON therefore enuie her fellow Subiects to breath common ayre any longer, liuing vnder one and shee so good a SOVERAIGNE; nor disgrace her fellow seruants of equall place and function, for the reasons afore laide downe.

And in LONDON more specially the *Societie* of MARCHANTS[b] ADVENTVRERS, that sometime haue beene as curious to keepe and debarre men from their MART-TOWNS as now they seeme violent to force all men thither. Least by their vnquiet and vncertaine *Instruments* and forme of proceedings, they make good at home amongs themselues and within themselues, against thēselues, that, Straungers haue feared, written and forespoken, terming them a *Priuate*, *Particular*, and *Preuenting* companie.

b The Argument of this Discourse, being the *Aduauncement* of *Custumes*, and the drift thereof, *Honour* and *Peace* to the *Prince* and her *Kingdome*: was resolud at the first to depend efficiently on *Trafficke*. That *Trafficke* consisted of fower essentiall Parts or Pillers, *Matter*, *Persons*, *Place*, and *Order*. That to maintaine Trafficke and so consequently Custumes, &c. Was to procure and cherish in all Matter, *Goodnesse*: in all Persons, *Loyaltie* and *Friendship*: in all Places *Conueniencie* and *Freedome*: and in all Order generall *Equitie*, the best Rules whereof, were onely to be found in the *Certaintie* and *Indifferencie* of the positiue *Lawes*, *Treaties* and *Contracts* of mutuall Commerce. But the *Marchants Aduenturers*, not knowing or not regarding these fower essentiall grounds together, run away with Trafficke, as if it stood onely in the choise of *Persons*, and by their vneuen, vncertaine and violent proceedings, holde all men vnder to keepe themselues aboue. Terming all *Enterlopers* that would liue by the direct and set Lawes of Trafficke, as if all were bastards, and scarce good Christians, at least no *Loyal Merchants* nor *Friends*, but they and their *Societie*. And by a bare and idle pretence of the word *Order* and orderly transporting the *Credit* and *Creame* of the Land (**Cloth**) haue brought the Trade thereof to a kind of confusion, and themselues to such a Laborynth: that besides the distresse of the (**Clothiers**) withall their Dependants, and generall complaints at home (to their Ho. Lordships endlesse offence and trouble at the *Councell Table*) the Commoditie it selfe is impayred, abased and in a sort despised, and the State withal dangerously deuided & vnkindly at Iarre with her auncient *Allyes* and best forraine *Friends*. And the Land becomes desolate wher no man is found that Layes it to his hart Jeren Jeremy cap 12

¶This is the state of the CVSTVMES, as they are at this present, fit for the GRAVE and WISE to knowe and consider. The reformation whereof, though none but *Authoritie* may promise and performe; yet common Dutie makes it lawfull in all to wishe and further. Vnto whome therefore in all *Submission*, the PORT-TOVVNES for themselues and their * FRIENDS, by way of remembrance, doe make this Petition.

Cities & Inland Townes of this Realm.

Cic. Offic. li. 1.

QVi Reipub. præsunt, vt duo præcepta teneant. Vnum, vt vtilitatem Ciuium sic tueantur, vt quicquid agant, ad eam referant, obliti commodorum suorum. Alterum, vt totum corpus Reipub. curent, ne dum partem aliquam tueantur, reliquas deserant. Qui autem parti consulunt, partemq; negligunt, seditiones & discordias inducunt. Ex quo fit, vt alij Populares, alij Optimi cuiusq; studiosi videantur, pauci vniuersorum.

An abstract or part of a Letter, written by Master *Roger Askham* (of most honest and learned memorie) from *Auspurge* the xj. of August, 1551. vnto Master *Leauer*.

A fit lesson for London, and all Cities and incorporations in Englande, to preuent a Dearth by.

MAgdeburge passeth the siege of Troy &c. The prouision of Corne at Norenberge is notable. I wrote it to M. Cheeke and so I will to you, for I saw it. They haue eighteene store houses full of Wheate, whereof one flower was not taken vpon these ( ) yeares, as doth appeare in their Recordes and writings, yet the Wheate is good, it is so well kept.

This prouision of Wheate maketh that Corne doth neuer fall nor rise aboue twelue pence in a Quarter about Norenberge. For when a hard yéere commeth that Corne should be déere among the Poore, then the Senate of Norenberge doe sell to all that lacke plentifully at the olde price, and when Corne is so plentifull that the Poore men can get no money for it, then the Senate buyeth all that comes, and payes as much as the olde price was. Thus their Wheat except certain flowers is so renewed, that the people neither want Corne when it is deere, nor money when it is good cheape. They haue Lawes and Statutes for this good order. Such a Senate be Veri Patres Reipub. God maintaine them, and giue others grace to follow them. &c.